

WEDNESDAY, JANUARY 18, 2012

FORTY-THIRD LEGISLATIVE DAY

The House met at 9:00 a.m. and was called to order by Madam Speaker Harwell.

The proceedings were opened with prayer by Representative Hill.

Representative Hill led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present..... 96

Representatives present were Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Sanderson, Sargent, Shaw, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 96

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Roach; personal

Representative Shepard

Representative Sexton

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Joint Resolution No. 562 Rep(s). Hurley as prime sponsor(s).

House Bill No. 229 Rep(s). Hensley as first prime sponsor(s).

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House Bill No. 2237 Rep(s). Sargent as first prime sponsor(s).

House Bill No. 2389 Rep(s). Coley as prime sponsor(s).

**ENROLLED BILLS
January 17, 2012**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bill(s) No(s). 1555 and 1558; and find same correctly enrolled and ready for the signatures of the Speakers.

BETTY KAY FRANCIS, Chief Engrossing Clerk

**SIGNED
January 17, 2012**

The Speaker announced that she had signed the following: House Bill(s) No(s). 1555 and 1558.

BETTY KAY FRANCIS, Chief Engrossing Clerk

**SIGNED
January 17, 2012**

The Speaker announced that she had signed the following: Senate Joint Resolution(s) No(s). 484, 485, 487, 490, 491, 492, 493, 495 and 513.

**MESSAGE FROM THE SENATE
January 17, 2012**

MADAM SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1555 and 1558; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE
January 18, 2012**

MADAM SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 1514 for further consideration.

RUSSELL A. HUMPHREY, Chief Clerk

INTRODUCTION OF RESOLUTIONS

On motion, pursuant to **Rule No. 17**, the following resolution(s) listed was/were introduced and referred to the appropriate Committee:

House Joint Resolution No. 557 -- Memorials, Recognition - Recognizes installation of signage, seal, and motto at Arzo Carson TBI State Office Building; honors donors for signage; provides for maintenance of certain legislation at such building. by *Montgomery.

House State and Local Government Committee

***House Joint Resolution No. 559** -- General Assembly, Confirmation of Appointment - Michael Edwards, State Board of Education. by *Niceley.

House Education Committee

House Joint Resolution No. 561 -- General Assembly, Confirmation of Appointment - Lonnie E. Roberts, State Board of Education. by *Butt.

House Education Committee

***House Joint Resolution No. 563** -- General Assembly, Confirmation of Appointment - George P. Jaynes, Tennessee ethics commission. by *Ford .

House State and Local Government Committee

***House Joint Resolution No. 564** -- General Assembly, Confirmation of Appointment - Carolyn Pearre, State Board of Education. by *Gotto.

House Education Committee

***House Joint Resolution No. 565** -- Naming and Designating - "Down Syndrome Awareness Day," March 21, 2012. by *Sexton.

House Health and Human Resources Committee

***House Joint Resolution No. 566** -- General Assembly, Confirmation of Appointment - Pamela B. Martin, Tennessee ethics commission. by *Elam.

House State and Local Government Committee

***House Joint Resolution No. 568** -- General Assembly, Confirmation of Appointment - Craig V. Powers, Board of Directors of Tennessee Education Lottery Corporation. by *McManus.

House Education Committee

House Joint Resolution No. 570 -- Naming and Designating - "National Wear Red Day" in Tennessee, February 3, 2012. by *Gilmore.

House Health and Human Resources Committee

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for January 19, 2012:

House Resolution No. 161 -- Memorials, Recognition - Sequatchie County Courthouse, 100th anniversary. by *Harmon.

House Joint Resolution No. 569 -- Memorials, Professional Achievement - Ziyuan Liu, Siemens Competition in Math, Science, and Technology Grand Prize Team Winner 2011. by *Ragan.

House Joint Resolution No. 571 -- Memorials, Recognition - St. Agnes Academy, 160th anniversary. by *Coley.

House Joint Resolution No. 572 -- Memorials, Retirement - Melvin G. "Ted" Bryson. by *Watson, *Brooks K.

House Joint Resolution No. 573 -- Memorials, Sports - Henry County High School, 2011 TSSAA Class 5A BlueCross Bowl football state champion. by *Wirgau.

House Joint Resolution No. 574 -- Memorials, Sports - James Counce, 2011 Titans High School Football Coach of the Year. by *Wirgau.

House Joint Resolution No. 575 -- Memorials, Professional Achievement - Jimmy Owens. by *Faison.

House Joint Resolution No. 578 -- Memorials, Academic Achievement - LaNell Williams, Valedictorian, City University School of Liberal Arts. by *Cooper B.

House Joint Resolution No. 583 -- Memorials, Professional Achievement - Cassee Cain, Siemens Competition in Math, Science, and Technology Grand Prize Team Winner 2011. by *Ragan.

House Joint Resolution No. 584 -- Memorials, Recognition - Franklin Road Baptist Church Bus Ministry. by *Sparks, *Carr, *Marsh, *Womick.

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

House Bill No. 2576 -- Special License Plates - As introduced, authorizes issuance of Ronald McDonald House new specialty earmarked license plate; allocates 50 percent of sale proceeds to Ronald McDonald House, for distribution to Tennessee chapters to further the mission of improving health, education and well-being of children. - Amends TCA Title 55, Chapter 4. by *Montgomery.

House Bill No. 2577 -- Taxes, Privilege - As introduced, specifies that the proceeds collected from privilege taxes relating to tourism should be applied in the municipality in which the taxes were collected. - Amends TCA Title 67, Chapter 4. by *Montgomery.

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House Bill No. 2578 -- Education - As introduced, requires publication of notice of maturity of school bonds issued by a county on the county's web site. - Amends TCA Title 49, Chapter 3. by *Montgomery.

House Bill No. 2579 -- Lottery, Scholarships and Programs - As introduced, changes a terminating event for receipt of the Tennessee HOPE scholarship from attempt at any postsecondary institution of a specified number of semester hours to receipt of the scholarship for a fixed number of full-time equivalent semesters. - Amends TCA Title 49, Chapter 4, Part 9. by *Montgomery.

House Bill No. 2580 -- Budget Procedures - As introduced, directs commissioner of finance and administration to certify the amount of surplus state revenue collected each year, and requires that appropriation act for subsequent fiscal year direct such amount be allocated to the rainy day fund. - Amends TCA Title 9, Chapter 4 and Title 67. by *Fitzhugh.

House Bill No. 2581 -- Energy - As introduced, requires the department of economic development division of energy and the University of Tennessee to pursue increased energy generation capacity at the West Tennessee solar farm. - Amends TCA Title 4, Chapter 3 and Title 49, Chapter 9. by *Fitzhugh.

House Bill No. 2582 -- Taxes, Exemption and Credits - As introduced, enacts the "Tennessee New Entrepreneur Tax Credit Act." - Amends TCA Title 67, Chapter 4. by *Fitzhugh.

House Bill No. 2583 -- State Government - As introduced, makes a one-time reduction to the total amount of health insurance benefits paid on behalf of current and former legislators and administrative department heads and executive officials in the executive branch by \$100 million; effective July 1, 2012, for former members and executive officials; effective at the election of 108th General Assembly for current members. - Amends TCA Title 8. by *Fitzhugh.

House Bill No. 2584 -- Insurance Companies, Agents, Brokers, Policies - As introduced, decreases the time in which a hearing shall be given to an insurer when the department disapproves of a rate increase from 30 days after the disapproval or modification order to 10 days after the disapproval or modification order. - Amends TCA Title 56. by *Fitzhugh.

House Bill No. 2585 -- Election Laws - As introduced, requires the registry of election finance to give members of the general assembly email notification. - Amends TCA Title 2, Chapter 10. by *Fitzhugh.

***House Bill No. 2586** -- Election Laws - As introduced, requires secretary of state to publicize the photo identification requirement at least 30 days prior to early voting for the primary and general elections in 2012 via public service announcements on radio and television. - Amends TCA Title 2 and Title 8, Chapter 3. by *Favors.

House Bill No. 2587 -- Highway Signs - As introduced, names bridge on S.R. 166 in Maury County in honor of Dr. L. Paul Sands. by *Butt.

House Bill No. 2588 -- Highway Signs - As introduced, names bridge on S.R. 7 in Maury County in honor of the late John Newton Woody. by *Butt.

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House Bill No. 2589 -- Aircraft and Airports - As introduced, requires airport authorities to have no more than nine commissioners; grandfathers in any authority that has more than nine as of July 1. - Amends TCA Title 42, Chapter 5 and Title 42, Chapter 3. by *McDonald.

House Bill No. 2590 -- Sexual Offenders - As introduced, includes senior living facilities in the places where sex offenders are prohibited from living within 1,000 feet of. - Amends TCA Title 39 and Title 40. by *McDonald.

***House Bill No. 2591** -- Motor Vehicles - As introduced, authorizes any law enforcement official, instead of only highway patrol officers, to stop and test vehicles for noncompliance with headlamp requirements. - Amends TCA Title 55, Chapter 9. by *McDonald.

***House Bill No. 2592** -- Education - As introduced, requires a special education diploma be awarded to students who have satisfactorily completed an IEP with satisfactory attendance and conduct, but who have not passed the proficiency tests required for graduation with a regular diploma. - Amends TCA Title 49, Chapter 6, Part 60. by *McDonald.

***House Bill No. 2593** -- Taxes, Sales - As introduced, changes sales tax holiday from the first weekend in August to the last weekend in July. - Amends TCA Title 67, Chapter 6, Part 3. by *McDonald.

***House Bill No. 2594** -- Taxes, Sales - As introduced, changes sales tax holiday from the first Friday in August through the following Sunday to the last Friday in July through the following Sunday. - Amends TCA Section 49-6-3004 and Section 67-6-393. by *McDonald.

***House Bill No. 2595** -- Education - As introduced, allows retired teachers' children who are under 24 years of age to receive a 25 percent discount at any state-operated institution of higher learning. - Amends TCA Title 49, Chapter 7. by *McDonald.

***House Bill No. 2596** -- Banks and Financial Institutions - As introduced, enforces the Financial Records Privacy Act by criminalizing an unauthorized disclosure by a financial institution or financial institution's agent. - Amends TCA Title 45 and Title 47. by *McDonald.

House Bill No. 2597 -- Animal Cruelty and Abuse - As introduced, creates Class E felony of aggravated cruelty to livestock, which is intentionally engaging in specified conduct in a depraved and sadistic manner that results in serious bodily injury or death to the animal and is done without lawful or legitimate purpose. - Amends TCA Title 39, Chapter 14, Part 2. by *Odom.

House Bill No. 2598 -- Special License Plates - As introduced, authorizes issuance of new specialty earmarked license plates for East Tennessee Children's Hospital; and allocates 50 percent of the proceeds from such plates to the hospital. - Amends TCA Title 55, Chapter 4. by *Haynes.

House Bill No. 2599 -- Special License Plates - As introduced, authorizes Autism Speaks new specialty earmarked license plate; allocates 50 percent of funds produced from sale thereof to Autism Speaks to support organization's mission. - Amends TCA Title 55, Chapter 4. by *Haynes.

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House Bill No. 2600 -- Taxes, Exemption and Credits - As introduced, allows a job tax credit for small, high-wage employers that create new jobs in high technology areas; requires approval by the commissioners of revenue and economic and community development. - Amends TCA Section 67-4-2109. by *Haynes.

***House Bill No. 2601** -- Emergency Communications Districts - As introduced, defines "Public Safety Answering Point" or "PSAP" to mean a facility that receives 911 calls and routes them to emergency services personnel. - Amends TCA Section 7-86-103. by *Sparks.

***House Bill No. 2602** -- Financial Responsibility Law - As introduced, deletes provision that requires accident report if a person is injured or killed or the amount of damage is in excess of \$400. - Amends TCA Section 55-12-104. by *Dennis.

***House Bill No. 2603** -- Economic and Community Development, Dept. of - As introduced, deletes provision regarding the appointing authority of the defunct Tennessee board for economic growth. - Amends TCA Title 4 and Title 70. by *Dennis.

***House Bill No. 2604** -- Banks and Financial Institutions - As introduced, alters and adds limits to acquisition and installment account handling charges for loans. - Amends TCA Section 45-5-403(b). by *Montgomery, *Harrison, *Shaw, *McDaniel, *Eldridge, *Haynes, *Powers, *Maggart, *Matheny, *Shepard.

House Bill No. 2605 -- Consumer Protection - As introduced, allows a mattress manufacturer, wholesaler or retailer to offer a comfort exchange policy pursuant to the sale of a mattress. - Amends TCA Title 47, Chapter 18, Part 1 and Title 68, Chapter 15, Part 2. by *Brooks K.

***House Bill No. 2606** -- Teachers, Principals and School Personnel - As introduced, mandates a training session before the start of a school year that all evaluators in an LEA must attend in person before they can evaluate teachers and principals during the upcoming school year in order to promote consistency in evaluations. - Amends TCA Title 49, Chapter 1; Title 49, Chapter 2 and Title 49, Chapter 5. by *Brooks K.

***House Bill No. 2607** -- TennCare - As introduced, requires the bureau of TennCare to use the same reimbursement methodologies for public and private providers of ICF/MR services. - Amends TCA Section 71-5-105. by *Brooks K.

***House Bill No. 2608** -- Short Term Loans and Lenders - As introduced, requires certain pawnbrokers and scrap jewelry and metal dealers to be bonded. - Amends TCA Title 38 and Title 45. by *Brooks K.

***House Bill No. 2609** -- Highway Signs - As introduced, names bridge in Sullivan County in honor of the late Richard Lee Edwards, Sr. by *Campbell, *Shipley, *Lundberg.

House Bill No. 2610 -- Open Meetings - As introduced, requires notice of government operations committee sunset hearings be posted on the division of state audit web site, deleting the current requirement that such notice be published in newspapers of general circulation. - Amends TCA Title 4, Chapter 29. by *Cobb, *Rich, *Shipley.

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House Bill No. 2611 -- Open Meetings - As introduced, reduces public notice period for government operations committee sunset hearings, from 10 days to six days. - Amends TCA Title 4, Chapter 29. by *Cobb, *Rich, *Shipley.

***House Bill No. 2612** -- Business and Commerce - As introduced, enacts the "Small Business Incentive Act." - Amends TCA Title 4; Title 8; Title 12; Title 48; Title 50 and Title 67. by *Brooks H.

***House Bill No. 2613** -- Education, Higher - As introduced, requires public postsecondary institutions, under certain conditions, to accept for credit any dual credit course developed by another public postsecondary institution in collaboration with a high school. - Amends TCA Title 49. by *Brooks H.

House Bill No. 2614 -- Motor Vehicle Commission - As introduced, requires the commission to create a new license for motor scooter dealers that do not sell other types of motor vehicles. - Amends TCA Title 55. by *Brooks H.

House Bill No. 2615 -- Special License Plates - As introduced, reclassifies the Tennessee Walking Horse cultural license plate as a new specialty earmarked license plate; changes the distribution of revenue from 80 percent to the arts and 20 percent to the highway fund to 50 percent to the TN Walking Horse Breeders' and Exhibitors' Association, 40 percent to the arts and 10 percent to the highway fund. - Amends TCA Title 55, Chapter 4. by *McDaniel.

House Bill No. 2616 -- Special License Plates - As introduced, expands authorization of new specialty earmarked license plates for Sons of Confederate Veterans to include issuance of such plates for motorcycles. - Amends TCA Title 55, Chapter 4. by *McDaniel.

***House Bill No. 2617** -- Taxes, Exemption and Credits - As introduced, changes the annual sales tax holiday from the first weekend of August to the third weekend of July. - Amends TCA Title 67, Chapter 6, Part 3. by *McDaniel.

***House Bill No. 2618** -- Emergency Communications Districts - As introduced, designates unpublished telephone numbers as confidential when in the possession of the emergency communications board or its designated agent. - Amends TCA Section 10-7-504. by *Forgety.

***House Bill No. 2619** -- Criminal Procedure - As introduced, provides that a federal employee who is not designated as a Tennessee peace officer may not make an arrest or conduct a search and seizure in this state without the written permission of the sheriff of the county in which the arrest, search and seizure will take place except under certain circumstances. - Amends TCA Title 8, Chapter 7 and Title 38, Chapter 3, Part 1. by *Dunn.

***House Bill No. 2620** -- Child Custody and Support - As introduced, adds new factors, whether parent is more likely to honor and facilitate court-approved parenting rights or visitation and whether parent has denied other parent's right to parenting time in accordance with court order, to those that must be considered by court in making custody determination. - Amends TCA Title 24, Chapter 7 and Title 36, Chapter 6. by *Forgety, *Niceley.

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***House Bill No. 2621** -- Criminal Offenses - As introduced, punishes shooting into a habitation or motor vehicle as reckless endangerment and defines the offense as a Class C felony without regard to the occupation of the habitation or motor vehicle. - Amends TCA Section 39-13-103. by *Hardaway.

***House Bill No. 2622** -- Motor Vehicles - As introduced, directs the department of safety to ensure the liability insurance requirements are equally applied to all motor carriers. - Amends TCA Title 5, Chapter 8; Title 7, Chapter 51; Title 55, Chapter 4; Title 55, Chapter 3; Title 56, Chapter 7; Title 65, Chapter 15 and Title 67, Chapter 4. by *Sargent.

***House Bill No. 2623** -- Open Meetings - As introduced, decreases from 30 to 20 days from receipt of plan, the time within which the office of open records counsel must report back to a governing body as to whether the governing body's plan for electronic communication between members complies with the open meetings laws. - Amends TCA Title 8, Chapter 44. by *Sargent.

***House Bill No. 2624** -- Credit and Debit Cards - As introduced, redefines a qualifying organization to employ at least 200 Tennessee residents, instead of 100. - Amends TCA Title 45, Chapter 2, Part 19. by *Sargent.

***House Bill No. 2625** -- Banks and Financial Institutions - As introduced, increases the work hours for a bona fide executive officer from 30 to 35 when determining whether a promissory note is considered an investment certificate. - Amends TCA Title 45, Chapter 5. by *Sargent.

***House Bill No. 2626** -- DNA and Genetic Testing - As introduced, adds five homicide offenses to the list of violent offenses for which a DNA sample is taken and stored in the database upon arrest rather than conviction. - Amends TCA Title 40, Chapter 35, Part 3. by *DeBerry J.

House Bill No. 2627 -- Municipal Government - As introduced, increases from \$300,000 to \$500,000 the maximum amount of revenue and debt a municipality may have in order to qualify to contract with a certified municipal finance officer (CMFO) or a qualified individual who is exempt from CMFO certification for financial oversight instead of employing a CMFO. - Amends TCA Title 6, Chapter 56, Part 4. by *Wirgau.

House Bill No. 2628 -- Taxes - As introduced, revises provisions governing what constitutes a quorum of the assessment appeals commission; changes reference from "trustee" to "assessor of property" in provisions governing back assessments and reassessments. - Amends TCA Title 67, Chapter 1 and Title 67, Chapter 5. by *Haynes.

House Bill No. 2629 -- Professions and Occupations - As introduced, authorizes law enforcement officials on duty to help persons gain entry to their locked motor vehicle without being licensed as locksmiths. - Amends TCA Section 62-11-105. by *Swann.

***House Bill No. 2630** -- Municipal Government - As introduced, enacts the "Courthouse Square Revitalization and Tourism Development Zone Act." - Amends TCA Title 6. by *Hill.

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***House Bill No. 2631** -- Special License Plates - As introduced, redesignates Masons and Tennessee Fraternal Order of Police license plates as specialty earmarked plates rather than new specialty earmarked plates and allocates revenues from such plates to such organizations. - Amends TCA Title 55, Chapter 4. by *Sanderson.

***House Bill No. 2632** -- Hospitals and Health Care Facilities - As introduced, revises the requirements for a nursing home's certificate of need for qualified partial relocation of certain nursing homes. - Amends TCA Title 68, Chapter 11, Part 16. by *Gotto.

***House Bill No. 2633** -- Clerks, Court - As introduced, increases by \$2.00 the filing fee charged by clerks and data fee entry chargeable by clerks, except in certain cases brought by the state and state agencies. - Amends TCA Section 8-21-401 and Section 8-21-409. by *Lundberg.

***House Bill No. 2634** -- Traffic Safety - As introduced, makes going faster than road conditions, weather and traffic patterns safely permit punishable as speeding. - Amends TCA Title 55, Chapter 8, Part 1. by *Lundberg.

House Bill No. 2635 -- Taxes, Inheritance Gift - As introduced, eliminates gift tax on transfers made on or after January 1, 2013. - Amends TCA Title 67, Chapter 8. by *Weaver.

***House Bill No. 2636** -- Alcoholic Beverages - As introduced, allows a member of the armed forces stationed overseas or a Tennessee resident who has been living outside the U.S. due to employment to ship wine into the state by getting a \$100 permit and paying the appropriate taxes. - Amends TCA Title 57. by *Ramsey.

***House Bill No. 2637** -- State Inmates - As introduced, establishes reimbursement rate for counties holding state inmates as adjusted based upon the percentage of change in the average consumer price index as published by the United States Department of Labor. - Amends TCA Section 41-8-106. by *Ramsey.

***House Bill No. 2638** -- Criminal Offenses - As introduced, prevents people from living on publicly-owned property not designated for residential use and prohibits people using publicly-owned property from posing a health hazard or threat to the safety and welfare of others. - Amends TCA Title 4; Title 12; Title 29; Title 39 and Title 40. by *Watson.

House Bill No. 2639 -- Codes - As introduced, prohibits sprinkler requirements in local building codes in one-family and two-family dwellings. - Amends TCA Section 68-120-101. by *Watson.

***House Bill No. 2640** -- Criminal Offenses - As introduced, deletes portion of offense of harassment that is committed by communicating with or transmitting or displaying an image to another in a certain manner. - Amends TCA Title 39. by *Curtiss.

***House Bill No. 2641** -- Criminal Offenses - As introduced, limits the offense of harassment by display of an image to cases in which the defendant intends the image to intimidate the victim, the victim is likely to see the image, a reasonable person is intimidated by the image and the victim is actually intimidated. - Amends TCA Title 39 and Title 49. by *Curtiss.

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***House Bill No. 2642** -- Physicians and Surgeons - As introduced, clarifies that physicians must report injuries or wounds arising out of methamphetamine laboratory incidents to law enforcement; provides immunity from liability for good faith reports. - Amends TCA Title 38; Title 63 and Title 68. by *Curtiss, *Womick.

***House Bill No. 2643** -- State Employees - As introduced, revises provisions for use of leave and benefits for chief elected officers of employee associations and other association members to attend association's annual meeting. - Amends TCA Title 8, Chapter 23 and Title 8, Chapter 50. by *Ragan.

***House Bill No. 2644** -- Motor Vehicles - As introduced, authorizes tow trucks responding to an incident at the request of a law enforcement official to use white and amber lights that display to the front of the vehicle. - Amends TCA Section 55-9-402. by *Swann.

House Bill No. 2645 -- Criminal Offenses - As introduced, prohibits the possession, sale or distribution of certain dangerous compounds and derivatives of those compounds. - Amends TCA Title 39. by *Williams R, *Hensley, *Sexton, *White, *Shipley, *Maggart, *Powers, *Ragan, *Hall, *Pody, *Campbell.

***House Bill No. 2646** -- Motor Vehicles, Titling and Registration - As introduced, prohibits county clerk from renewing owner's registration and registration plates if the owner has outstanding fines or fees owed to the county or any outstanding criminal warrants within the state. - Amends TCA Section 39-14-121 and Title 55, Chapter 4, Part 1. by *Williams R, *Sexton, *White, *Powers, *Hurley, *Pody.

***House Bill No. 2647** -- Special License Plates - As introduced, authorizes until July 1, 2013, for sufficient number of applicants for Sigma Gamma Rho license plates. - Amends TCA Section 55-4-261. by *Turner J, *Favors.

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

***House Bill No. 2475** -- Highway Signs -- House Transportation Committee

***House Bill No. 2476** -- Juries and Jurors -- House Judiciary Committee

***House Bill No. 2477** -- Highway Signs -- House Transportation Committee

***House Bill No. 2478** -- Open Meetings -- House State and Local Government Committee

House Bill No. 2479 -- Physicians and Surgeons -- House Health and Human Resources Committee

House Bill No. 2480 -- Knox County -- House State and Local Government Committee

***House Bill No. 2481** -- Courts -- House State and Local Government Committee

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***House Bill No. 2483** -- Special License Plates -- House Transportation Committee

***House Bill No. 2484** -- Highway Signs -- House Transportation Committee

***House Bill No. 2485** -- Motor Vehicles, Titling and Registration -- House Transportation Committee

***House Bill No. 2486** -- Taxes, Exemption and Credits -- House State and Local Government Committee

***House Bill No. 2487** -- Teachers, Principals and School Personnel -- House Education Committee

House Bill No. 2488 -- Criminal Offenses -- House Judiciary Committee

House Bill No. 2489 -- Remedies and Special Proceedings -- House Judiciary Committee

House Bill No. 2490 -- State Symbols -- House Agriculture Committee

House Bill No. 2491 -- Military -- House Judiciary Committee

***House Bill No. 2492** -- Human Services, Dept. of -- House Judiciary Committee

***House Bill No. 2493** -- Criminal Offenses -- House Judiciary Committee

House Bill No. 2494 -- Law Enforcement -- House Education Committee

House Bill No. 2495 -- County Government -- House State and Local Government Committee

House Bill No. 2496 -- Comptroller, State -- House State and Local Government Committee

***House Bill No. 2498** -- Financial Responsibility Law -- House Judiciary Committee

House Bill No. 2499 -- Public Contracts -- House State and Local Government Committee

House Bill No. 2500 -- Graysville -- House State and Local Government Committee

***House Bill No. 2501** -- Boards and Commissions -- House State and Local Government Committee

House Bill No. 2502 -- Criminal Offenses -- House Judiciary Committee

***House Bill No. 2503** -- Public Records -- House Health and Human Resources Committee

House Bill No. 2504 -- Mental Illness -- House Judiciary Committee

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House Bill No. 2505 -- Sunset Laws -- House Government Operations Committee

House Bill No. 2506 -- Sunset Laws -- House Government Operations Committee

House Bill No. 2507 -- Sunset Laws -- House Government Operations Committee

***House Bill No. 2508** -- Sunset Laws -- House Government Operations Committee

House Bill No. 2509 -- Sunset Laws -- House Government Operations Committee

House Bill No. 2510 -- Sunset Laws -- House Government Operations Committee

House Bill No. 2511 -- Sunset Laws -- House Government Operations Committee

House Bill No. 2512 -- Sunset Laws -- House Government Operations Committee

House Bill No. 2513 -- Sunset Laws -- House Government Operations Committee

House Bill No. 2514 -- Sunset Laws -- House Government Operations Committee

House Bill No. 2515 -- Sunset Laws -- House Government Operations Committee

House Bill No. 2516 -- Sunset Laws -- House Government Operations Committee

House Bill No. 2517 -- Sunset Laws -- House Government Operations Committee

House Bill No. 2518 -- Sunset Laws -- House Government Operations Committee

House Bill No. 2519 -- Sunset Laws -- House Government Operations Committee

House Bill No. 2520 -- Sunset Laws -- House Government Operations Committee

House Bill No. 2521 -- Sunset Laws -- House Government Operations Committee

House Bill No. 2522 -- Sunset Laws -- House Government Operations Committee

House Bill No. 2523 -- Sunset Laws -- House Government Operations Committee

House Bill No. 2524 -- Sunset Laws -- House Government Operations Committee

House Bill No. 2525 -- Sunset Laws -- House Government Operations Committee

House Bill No. 2526 -- Sunset Laws -- House Government Operations Committee

House Bill No. 2527 -- Sunset Laws -- House Government Operations Committee

House Bill No. 2528 -- Sunset Laws -- House Government Operations Committee

House Bill No. 2529 -- Sunset Laws -- House Government Operations Committee

House Bill No. 2530 -- Sunset Laws -- House Government Operations Committee

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This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

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House Bill No. 2531 -- Sunset Laws -- House Government Operations Committee

House Bill No. 2532 -- Sunset Laws -- House Government Operations Committee

House Bill No. 2533 -- Sunset Laws -- House Government Operations Committee

House Bill No. 2534 -- Sunset Laws -- House Government Operations Committee

House Bill No. 2535 -- Sunset Laws -- House Government Operations Committee

House Bill No. 2536 -- Sunset Laws -- House Government Operations Committee

House Bill No. 2537 -- Sunset Laws -- House Government Operations Committee

House Bill No. 2538 -- Sunset Laws -- House Government Operations Committee

House Bill No. 2539 -- Sunset Laws -- House Government Operations Committee

House Bill No. 2540 -- Sunset Laws -- House Government Operations Committee

House Bill No. 2541 -- Sunset Laws -- House Government Operations Committee

House Bill No. 2542 -- Sunset Laws -- House Government Operations Committee

House Bill No. 2543 -- Sunset Laws -- House Government Operations Committee

House Bill No. 2544 -- Sunset Laws -- House Government Operations Committee

House Bill No. 2545 -- Sunset Laws -- House Government Operations Committee

House Bill No. 2546 -- Sunset Laws -- House Government Operations Committee

***House Bill No. 2547** -- Driver Licenses -- House Transportation Committee

***House Bill No. 2548** -- Education -- House Education Committee

***House Bill No. 2549** -- Physicians and Surgeons -- House Health and Human Resources Committee

***House Bill No. 2550** -- Sheriffs -- House State and Local Government Committee

***House Bill No. 2551** -- Taxes, Exemption and Credits -- House Finance, Ways and Means Committee

***House Bill No. 2552** -- Public Funds and Financing -- House Finance, Ways and Means Committee

***House Bill No. 2553** -- Appropriations -- House Finance, Ways and Means Committee

***House Bill No. 2554** -- Taxes -- House Finance, Ways and Means Committee

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***House Bill No. 2555** -- Taxes, Sales -- House Finance, Ways and Means Committee

House Bill No. 2556 -- Taxes -- House Commerce Committee

House Bill No. 2557 -- Taxes -- House Finance, Ways and Means Committee

House Bill No. 2558 -- Medical Occupations -- House Health and Human Resources Committee

House Bill No. 2559 -- Sunset Laws -- House Government Operations Committee

House Bill No. 2560 -- Sunset Laws -- House Government Operations Committee

***House Bill No. 2561** -- Public Funds and Financing -- House State and Local Government Committee

House Bill No. 2562 -- Orders of Protection -- House Judiciary Committee

***House Bill No. 2563** -- Health, Dept. of -- House Health and Human Resources Committee

***House Bill No. 2564** -- Deeds -- House Judiciary Committee

***House Bill No. 2565** -- Education -- House Education Committee

***House Bill No. 2566** -- Education -- House Education Committee

***House Bill No. 2567** -- Drugs, Prescription -- House Health and Human Resources Committee

House Bill No. 2568 -- Hospitals and Health Care Facilities -- House Health and Human Resources Committee

House Bill No. 2569 -- Controlled Substances -- House Health and Human Resources Committee

House Bill No. 2570 -- Drugs, Prescription -- House Health and Human Resources Committee

House Bill No. 2571 -- Criminal Procedure -- House Judiciary Committee

House Bill No. 2572 -- Pensions and Retirement Benefits -- House State and Local Government Committee

House Bill No. 2573 -- Drugs, Prescription -- House Health and Human Resources Committee

House Bill No. 2574 -- Controlled Substances -- House Health and Human Resources Committee

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***House Bill No. 2575** -- Administrative Procedure (UAPA) -- House Government
Operations Committee

CONSENT CALENDAR

House Joint Resolution No. 556 -- Memorials, Death - Wilma Maples. by
*Montgomery.

House Joint Resolution No. 558 -- Memorials, Recognition - National Cattleman's Beef
Association Convention and Trade Show. by *Forgety.

House Joint Resolution No. 560 -- Memorials, Personal Occasion - John and Shirley
Gadd, 60th wedding anniversary. by *Cobb.

House Joint Resolution No. 562 -- Memorials, Death - Wolfred Carlock Stooksbury. by
*Ragan.

Pursuant to **Rule No. 50**, Rep. Dunn moved that all House Bills having companion
Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate
House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final
consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate
Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the
following vote:

Ayes	96
Noes	0

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K,
Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J,
DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford,
Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley,
Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart,
Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L,
Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan,
Ramsey, Rich, Richardson, Sanderson, Sargent, Shaw, Shipley, Sontany, Sparks, Stewart,
Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K,
Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 96

A motion to reconsider was tabled.

JOURNAL CORRECTION

Without objection, the Speaker requested that the Journal reflect that Reps. Naifeh and
L. DeBerry voted "aye" on the Consent Calendar.

UNFINISHED BUSINESS

BILL RECALLED

Rep. McDaniel moved that Senate Bill No. 1514 be recalled from the Senate, which motion prevailed.

MOTION TO RECONSIDER

Rep. McDaniel moved to lift from the table the motion to reconsider action in passing Senate Bill No. 1514, which motion prevailed.

Senate Bill No. 1514 -- Redistricting, Legislative - As introduced, updates references to 2010 TIGER system and geography; clarifies provisions concerning districts, terms and vacancies prior to November 2012 elections; clarifies that contiguity by water is sufficient. - Amends TCA Section 3-1-102. by *Norris. (*HB1557 by *McDaniel)

Rep. McDaniel moved to reconsider action in passing Senate Bill No. 1514, which motion prevailed.

Rep. McDaniel moved that Senate Bill No. 1514 be passed on third and final consideration.

Rep. McDaniel moved adoption of Amendment No. 3 as follows:

Amendment No. 3

AMEND Senate Bill No. 1514 by deleting the following language in subdivision (d)(32) of Section 3:

Blocks (020820): 1000;

and by substituting instead the following language:

Blocks (020820): 1000

Tipton County;

Rep. Pitts moved the previous question, which motion prevailed.

On motion, Amendment No. 3 was adopted.

Rep. McDaniel moved that **Senate Bill No. 1514**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	75
Noes.....	19
Present and not voting.....	1

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Representatives voting aye were: Alexander, Bass, Brooks H, Butt, Campbell, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, Dennis, Dunn, Elam, Eldridge, Faison, Favors, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller D, Montgomery, Moore, Niceley, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Sanderson, Sargent, Shaw, Shipley, Sparks, Swann, Tidwell, Todd, Towns, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 75

Representatives voting no were: Armstrong, Brown, Camper, DeBerry L, Evans, Hardaway, Harmon, Kernell, McDonald, Miller L, Naifeh, Odom, Parkinson, Richardson, Sontany, Stewart, Tindell, Turner J, Turner M -- 19

Representatives present and not voting were: Brooks K -- 1

A motion to reconsider was tabled.

SPONSOR EXCLUSION

Pursuant to the signed Sponsor Exclusion form, when a motion is made to add all members voting in the affirmative as co-prime sponsors to any bill or resolution on the House floor, the following member(s) request that their name(s) not be added without their own signature(s), and that this is effective until the adjournment of the 2012 annual session of the 107th General Assembly: Rep(s). Holt.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 1438 Rep(s). Keisling as prime sponsor(s).

House Bill No. 2231 Rep(s). Hardaway as prime sponsor(s).

House Bill No. 2337 Rep(s). White as prime sponsor(s).

House Bill No. 2339 Rep(s). Pody as prime sponsor(s).

House Bill No. 2341 Rep(s). Swann as prime sponsor(s).

House Bill No. 2343 Rep(s). Watson as second prime sponsor(s).

House Bill No. 2343 Rep(s). Faison as prime sponsor(s).

House Bill No. 2349 Rep(s). Floyd as prime sponsor(s).

House Bill No. 2350 Rep(s). Casada as prime sponsor(s).

House Bill No. 2351 Rep(s). Haynes as prime sponsor(s).

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This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

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House Bill No. 2353 Rep(s). C. Johnson as prime sponsor(s).

House Bill No. 2355 Rep(s). Eldridge as prime sponsor(s).

House Bill No. 2356 Rep(s). C. Johnson as prime sponsor(s).

House Bill No. 2357 Rep(s). McDaniel as prime sponsor(s).

House Bill No. 2358 Rep(s). Harrison as prime sponsor(s).

House Bill No. 2360 Rep(s). Dennis as prime sponsor(s).

House Bill No. 2365 Rep(s). Hensley as prime sponsor(s).

House Bill No. 2367 Rep(s). Weaver as prime sponsor(s).

House Bill No. 2368 Rep(s). Powers as prime sponsor(s).

House Bill No. 2369 Rep(s). Ragan as prime sponsor(s).

House Bill No. 2370 Rep(s). K. Brooks as prime sponsor(s).

House Bill No. 2373 Rep(s). Hawk as prime sponsor(s).

House Bill No. 2374 Rep(s). P. Johnson as prime sponsor(s).

House Bill No. 2375 Rep(s). Keisling as prime sponsor(s).

House Bill No. 2376 Rep(s). Gotto as prime sponsor(s).

House Bill No. 2378 Rep(s). Ramsey as prime sponsor(s).

House Bill No. 2379 Rep(s). R. Williams as prime sponsor(s).

House Bill No. 2380 Rep(s). Weaver as prime sponsor(s).

House Bill No. 2381 Rep(s). P. Johnson as prime sponsor(s).

House Bill No. 2384 Rep(s). Dunn as prime sponsor(s).

House Bill No. 2386 Rep(s). Haynes as prime sponsor(s).

House Bill No. 2439 Rep(s). Hurley as prime sponsor(s).

House Bill No. 2547 Rep(s). Dean, Weaver, Hurley, Keisling, Shipley, Floyd, D. Miller and Sanderson as prime sponsor(s).

**REPORT OF CHIEF ENGROSSING CLERK
January 18, 2012**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bill(s) No(s). 1555 and 1558; for his action.

BETTY KAY FRANCIS, Chief Engrossing Clerk

**ENGROSSED BILLS
January 18, 2012**

MADAM SPEAKER: The following bill(s) have been examined, engrossed and are ready for transmission to the Senate: House Joint Resolution(s) No(s). 556, 558, 560 and 562.

BETTY KAY FRANCIS, Chief Engrossing Clerk

ROLL CALL

The roll call was taken with the following results:

Present..... 94

Representatives present were Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Sanderson, Sargent, Shaw, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 94

RECESS MOTION

On motion of Rep. McCormick, the House stood in recess until 9:00 a.m., Thursday, January 19, 2012.